

8/9/2005

Patent Application

Application #: 10/605876

Group Art Unit # 3711

Filing Date: 11/03/2003

Examiner: Vishu K. Mendiratta

Title: Board Game

Arguments:

Stated in the office actions 7/21/05:

1) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the difference between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The subject matter in my invention is not obvious to a person having ordinary skill in the art to which said subject matter pertains and therefore the rejections of the claims are not valid. The subject matter is based on original drawings that I hold the copyright and can be found in my books entitled, "Kids for Chemistry" and "Kids for Chemistry The Game Instructions". I also have a designed patent (D489770) on the drawings. These drawings are new and unique representations of atoms and molecules and no one is permitted to use them without my permission. These drawings were not obvious to Peterson at the time his invention was made.

Stated in the office actions dated 7/21/05:

Peterson teaches a game board having a track(12), game spaces with indicia(14), multi-level cards(2:39-45), game pieces and random selection devices(2:1-5). The only difference between applicant's game and the cited reference resides in meaning and information conveyed by the printed matter that is not considered allowable. In this regard the

educational board game of Peterson teaches a variety of subject matter 7that can be used for playing the game by merely changing the indicia on the game. In order to teach a periodical table and ask related question, it would have been obvious to modify the game to include indicia of periodical table. One of ordinary skill in art at the time the invention was made would have suggested modifying game indicia to include periodic table subject matter to make the game attractive to players that are interested in such educational subjects. With respect to alternative structures of means for representing questions/answers, such means are commonly used as cards, books etc. and it would have been obvious to include such features in the game.

The subject matter in my invention is not obvious to a person having ordinary skill in the art to which said subject matter pertains as stated above. The drawings are new and unique representations of atoms and molecules and no one is permitted to use them without my permission. The drawings of the periodic table are new and unique and are also copyrighted and patented. These drawings were not obvious to Peterson at the time his invention was made. Therefore, it would **not** have been obvious to modify his game to include indicia of a periodical table as I have represented it. And one of ordinary skill in art at the time the invention was made would not have suggested modifying game indicia to include periodic table subject matter (as I have represented it) to make the game attractive to players that are interested in such educational subjects.

The structures and drawings that I have designed are innovative and have never been seen or used before. They provide a new way of teaching chemistry concepts that have never been used before. Therefore, one of ordinary skill could not have suggested using these drawings in any invention or application. My invention is based on these new and innovative drawings, which makes my invention unique and different from the prior art.